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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,545	02/06/2006	Giuseppe Bordignon	1182020NB4368	9197
25779 7590 02/19/2008 SAMPSON & ASSOCIATES, P.C. 50 CONGRESS STREET BOSTON, MA 02109				
EXAMINER DONDERO, WILLIAM E				
ART UNIT 3654		PAPER NUMBER		
MAIL DATE 02/19/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/567,545

**Applicant(s)**

BORDIGNON ET AL.

**Examiner**

WILLIAM E. DONDERO

**Art Unit**

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 9-14 is/are rejected.
- 7) ☐ Claim(s) 4-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/ISD)
- Paper No(s)/Mail Date 02/06/2006

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

Claim 1 is objected to because of the following informalities: for clarity, - in- - should be inserted between "another" and "at" in line 14 and "according to" should be deleted from line 14. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 9-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Siemens (DE-821666). Regarding Claim 1, Siemens discloses a reeling device for rolled material placed downstream of a rolling line, comprising at least one first guide element 16 and one second guide element 13/14, each of them defining a passage designed to support, contain, and guide the rolled material, where the first guide element is designed at least to rotate about an axis (when moved from alignment with 14 to 16 and vice versa) that is substantially normal to its own plane of lie and comprises one input end (end away from 15) adapted to receive the rolled material coming off of the rolling line, and one output end (at 15) from which the rolled material may come out, and where the second guide element comprises one input end (at 15) set in the proximity of the output end of the first guide element, within which it is possible to introduce the rolled material that comes out of the first guide element, and

one output end (at 11), from which the rolled material may come out towards winding means 18 for winding the rolled material in turns, the winding means defining a winding axis, and in which the first guide element and the second guide element are designed to vary their own inclination with respect to the winding axis independently of one another in at least a plane parallel to the axis (Figures 1-16). Regarding Claim 2, Siemens discloses the winding means comprises a spindle 18 of a reel 11 (Figures 1-16). Regarding Claim 3, Siemens discloses orientation means 17 of the second guide element so as to maintain the stretch of the rolled material coming out of the output end of the second guide element substantially with the same inclination as that of the last turn wound on the spindle according to a plane parallel to the winding axis of the turns (Figures 1-16).

Regarding Claim 9, Siemens discloses a method for reeling rolled material by means of a reeling device according to Claim 1 (as advanced above) wherein there are defined a winding axis and a rolling axis, and the first guide element and the second guide element vary their respective inclination with respect to the winding axis independently of one another, comprising the operation of displacing the output end of the second guide along the means for winding rolled material in turns, by causing the first guide element to rotate at least about an axis substantially normal to its own plane of lie and maintaining the second guide element with an inclination, on a first plane parallel to the winding axis, wherein the stretch of the rolled material coming out of the output end of the second guide element has an angle of distribution, in the first plane substantially equal to the angle of helix of the turns of the layer being wound, wherein

the angle of the helix is inclined with respect to the rolling axis and the second guide element varies its inclination with respect to the winding axis during reeling (Figures 1-16). Regarding Claim 10, Siemens discloses the first guide element is made to rotate at least about the axis substantially normal to its own plane of lie as long as the output end of the first guide element is within a region of space substantially delimited by two end surfaces, each of which is orthogonal to the axis of the winding means and passes in a position corresponding to one end of the winding means (Figures 1-16). Regarding Claim 11, Siemens discloses rotation of the first guide element about the axis substantially normal to its own plane of lie is stopped when the output end of the first guide element reaches one of the end surfaces and wherein the second guide element is made to rotate subsequently about an axis substantially normal to its own plane of lie at least until the output end of the second guide element substantially reaches one end of the winding means (Figures 1-16). Regarding Claims 12-13, Siemens discloses the second guide element raises during winding so as to follow the increase in diameter of the reel (Figures 1-16). Regarding Claim 14, Siemens discloses an operation of control of the position of the rolls of the guide device is carried out for guiding the rolled material so as to maintain a substantially a gap not less than a predetermined value between the rolls and the sides of the rolled material (Figures 1-16).

***Allowable Subject Matter***

Claims 4-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM E. DONDERO whose telephone number is (571)272-5590. The examiner can normally be reached on Monday through Friday 6:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Cuomo can be reached on 571-272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/W. E. D./  
Examiner, Art Unit 3654

/Peter M. Cuomo/  
Supervisory Patent Examiner, Art Unit 3654